

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

James G. Blakely,) C/A No. 5:12-01289-MGL-KDW
<i>a.k.a James Gatewood Blakely,</i>)
<i>a.k.a. Jimmy G. Blakely;</i>)
)
Plaintiff,)
)
vs.)
)
Ann Hallman, Chief Grievance Coordinator;)
Vera Jenkins, Grievance Coordinator;)
W.C. McCabe. Warden;)
Ms. R. Monette, Business Office;)
A/W McFadden;)
Ms. Percy, Business Office;)
Ms. Thomas, Grievance Clerk,)
)
Defendants.)

ORDER

This is a civil action filed by a state prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to District Court). Under Local Civil Rule 73.02(B)(2) of the United States District Court for the District of South Carolina, pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

By order issued on June 1, 2012, Plaintiff was given a specific time frame in which to bring this case into proper form. ECF No. 17. Plaintiff complied with the court's order by submitting an Amended Complaint. ECF No. 22. Plaintiff has also filed a Second Amended Complaint in this action. ECF No. 51.

TO THE CLERK OF COURT:

In order to preserve issues raised in this case and give liberal construction to the pleadings, the Clerk of Court is directed to append Plaintiff's Amended Complaint, ECF No. 22, as an attachment to the Second Amended Complaint. ECF No. 51.

This case is subject to summary dismissal based on an initial screening conducted pursuant

to 28 U.S.C. §1915 and/or 28 U.S.C. § 1915A. Therefore, the Clerk of Court shall not issue the summonses or forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.



February 13, 2013
Florence, South Carolina

Kaymani D. West
United States Magistrate Judge